

SMITH) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 212, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. SMITH of New Jersey. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Con. Res. 212, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 3 o'clock and 55 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1833

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. FORBES) at 6 o'clock and 33 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on the motion to instruct and on motions to suspend the rules previously postponed. Votes will be taken in the following order:

Motion to instruct conferees on H.R. 1308, by the yeas and nays;

H.R. 1516, by the yeas and nays;

House Concurrent Resolution 212, by the yeas and nays.

The first and third electronic votes will be conducted as 15-minute votes. The second electronic vote will be conducted as a 5-minute vote.

MOTION TO INSTRUCT CONFEREES ON H.R. 1308, TAX RELIEF, SIMPLIFICATION, AND EQUITY ACT OF 2003

The SPEAKER pro tempore. The unfinished business is the question on the

motion to instruct conferees on the bill, H.R. 1308.

The Clerk will designate the motion.

The Clerk designated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Maryland (Mr. VAN HOLLEN) on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 193, nays 212, not voting 29, as follows:

[Roll No. 398]

YEAS—193

Abercrombie	Harman	Neal (MA)
Ackerman	Hastings (FL)	Oberstar
Alexander	Hill	Obey
Allen	Hinchey	Olver
Andrews	Hinojosa	Ortiz
Baca	Hoeffel	Pallone
Baird	Holden	Pascarell
Baldwin	Holt	Pastor
Ballance	Honda	Pelosi
Bell	Hooley (OR)	Peterson (MN)
Berman	Hoyer	Pomeroy
Bishop (GA)	Inslee	Price (NC)
Bishop (NY)	Israel	Rahall
Blumenauer	Jackson (IL)	Rangel
Boswell	Jackson-Lee	Reyes
Boucher	(TX)	Rodriguez
Boyd	Jefferson	Ross
Brady (PA)	John	Rothman
Brown (OH)	Johnson, E. B.	Roybal-Allard
Brown, Corrine	Jones (OH)	Ruppersberger
Capps	Kanjorski	Rush
Capuano	Kaptur	Ryan (OH)
Cardin	Kildee	Sabo
Cardoza	Kilpatrick	Sanchez, Linda
Carson (IN)	Klecza	T.
Carson (OK)	Kucinich	Sanders
Case	Lampson	Sandlin
Castle	Langevin	Schakowsky
Clay	Lantos	Schiff
Clyburn	Larsen (WA)	Scott (GA)
Cooper	Larson (CT)	Scott (VA)
Costello	Leach	Serrano
Cramer	Lee	Sherman
Crowley	Levin	Skelton
Cummings	Lewis (GA)	Slaughter
Davis (AL)	Lofgren	Smith (WA)
Davis (CA)	Lowey	Snyder
Davis (FL)	Lucas (KY)	Solis
Davis (TN)	Lynch	Spratt
DeFazio	Majette	Stark
Delahunt	Maloney	Stenholm
DeLauro	Markey	Strickland
Deutsch	Marshall	Stupak
Dicks	Matheson	Tanner
Dingell	Matsui	Tauscher
Doggett	McCarthy (MO)	Taylor (MS)
Dooley (CA)	McCarthy (NY)	Thompson (CA)
Doyle	McCollum	Thompson (MS)
Edwards	McDermott	Tierney
Ehlers	McGovern	Turner (TX)
Emanuel	McIntyre	Udall (CO)
Engel	McNulty	Udall (NM)
Eshoo	Meehan	Upton
Etheridge	Meeks (NY)	Van Hollen
Evans	Menendez	Velazquez
Farr	Michaud	Visclosky
Fattah	Millender-	Waters
Filner	McDonald	Watson
Ford	Miller (NC)	Watt
Frank (MA)	Miller, George	Waxman
Frost	Mollohan	Weiner
Gonzalez	Moore	Wexler
Gordon	Moran (VA)	Wu
Green (TX)	Murtha	Wynn
Grijalva	Nadler	
Hall	Napolitano	

NAYS—212

Aderholt	Bilirakis	Brown (SC)
Akin	Bishop (UT)	Brown-Waite,
Bachus	Blackburn	Ginny
Baker	Blunt	Burgess
Ballenger	Boehert	Burns
Barrett (SC)	Boehner	Burr
Bartlett (MD)	Bonilla	Burton (IN)
Barton (TX)	Bonner	Buyer
Bass	Bono	Calvert
Beauprez	Boozman	Camp
Bereuter	Bradley (NH)	Cantor
Biggert	Brady (TX)	Capito

Carter	Isakson	Portman
Chabot	Issa	Pryce (OH)
Chocola	Istook	Putnam
Coble	Janklow	Quinn
Cole	Jenkins	Radanovich
Collins	Johnson (CT)	Ramstad
Crane	Johnson (IL)	Regula
Crenshaw	Johnson, Sam	Rehberg
Cubin	Jones (NC)	Renzi
Culberson	Keller	Reynolds
Cunningham	Kelly	Rogers (AL)
Davis, Jo Ann	Kennedy (MN)	Rogers (KY)
Davis, Tom	King (IA)	Rogers (MI)
DeLay	King (NY)	Rohrabacher
DeMint	Kingston	Ros-Lehtinen
Diaz-Balart, L.	Kirk	Royce
Diaz-Balart, M.	Kline	Ryan (WI)
Doolittle	Knollenberg	Saxton
Dreier	Kolbe	Schrock
Duncan	LaHood	Sensenbrenner
Dunn	Latham	Sessions
Emerson	LaTourette	Shadegg
English	Lewis (CA)	Shaw
Everett	Lewis (KY)	Shays
Feeney	Linder	Sherwood
Flake	LoBiondo	Shimkus
Foley	Lucas (OK)	Shuster
Forbes	Manzullo	Simmons
Fossella	McCotter	Simpson
Franks (AZ)	McCrery	Smith (MI)
Frelinghuysen	McHugh	Smith (NJ)
Galleghy	McInnis	Smith (TX)
Garrett (NJ)	Mica	Souder
Gerlach	Miller (FL)	Stearns
Gibbons	Miller, Gary	Sullivan
Gilchrest	Moran (KS)	Sweeney
Gillmor	Murphy	Tancredo
Gingrey	Musgrave	Tauzin
Goode	Myrick	Taylor (NC)
Goodlatte	Nethercutt	Thomas
Goss	Neugebauer	Thornberry
Granger	Ney	Tiahrt
Graves	Northup	Tiberi
Green (WI)	Norwood	Toomey
Greenwood	Nunes	Turner (OH)
Gutknecht	Nussle	Vitter
Harris	Osborne	Walden (OR)
Hart	Ose	Walsh
Hastings (WA)	Otter	Wamp
Hayes	Oxley	Weldon (FL)
Hayworth	Paul	Weldon (PA)
Hefley	Pearce	Weller
Herger	Pence	Whitfield
Hobson	Petri	Wicker
Hoekstra	Pickering	Wilson (NM)
Hostettler	Pitts	Wilson (SC)
Houghton	Platts	Wolf
Hunter	Pombo	Young (AK)
Hyde	Porter	Young (FL)

NOT VOTING—29

Becerra	Fletcher	Miller (MI)
Berkley	Gephardt	Owens
Berry	Gutierrez	Payne
Cannon	Hensarling	Peterson (PA)
Conyers	Hulshof	Ryun (KS)
Cox	Kennedy (RI)	Sanchez, Loretta
Davis (IL)	Kind	Terry
Deal (GA)	Lipinski	Towns
DeGette	McKeon	Woolsey
Ferguson	Meek (FL)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FORBES) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1855

Messrs. FEENEY, GOSS, WELDON of Florida, WOLF, SMITH of New Jersey, ROHRBACHER, SIMPSON, and CUNNINGHAM, and Ms. GINNY BROWN-WAITE of Florida changed their vote from "yea" to "nay."

So the motion was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.